

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 5.04.070 of the Lincoln Municipal Code, Sale
2 to Minors and Incapacitated Persons Prohibited, by deleting the offense of selling, giving, disposing
3 of, exchanging, delivering, or permitting the sale, gift, or procuring of any alcoholic liquors to a minor
4 or incapacitated person from said Section 5.04.070 as the state statute penalty for said offense is
5 greater than authorized for the City; and repealing Section 5.04.070 of the Lincoln Municipal Code
6 as hitherto existing.

7 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

8 Section 1. That Section 5.04.070 of the Lincoln Municipal Code be amended to read
9 as follows:

10 **5.04.070 Sale to Minors and Allow Possession by Incapacitated Persons; Prohibited.**

11 ~~No person shall, within the city, sell, give away, dispose of, exchange, or deliver, or permit~~
12 ~~the sale, gift, or procuring of any alcoholic liquors, to or for any minor, any person who is mentally~~
13 ~~incompetent, or any person who is physically or mentally incapacitated by the consumption of such~~
14 ~~liquors.~~ No licensee or employee shall, within the city, permit or allow the possession or control of
15 alcoholic beverage by any person who is physically or mentally incapacitated by the consumption of
16 alcoholic liquors in any licensed premises.

17 Section 2. That Section 5.04.070 of the Lincoln Municipal Code as hitherto existing
18 be and the same is hereby repealed.

1 Section 3. That this ordinance shall take effect and be in force from and after passage
2 and publication in one issue of a daily or weekly newspaper of general circulation in the City,
3 according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2013:

Mayor